

## Fill in this information to identify the case:

Debtor 1 Paul Steven McMahanDebtor 2 Lori Joann McMahan  
(Spouse, if filing)

United States Bankruptcy Court for the: Eastern District of California

Case number 17-12324

## Official Form 410S1

## Notice of Mortgage Payment Change

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

SETERUS, INC. AS THE AUTHORIZED SUBSERVICER  
FOR FEDERAL NATIONAL MORTGAGE ASSOCIATION

Name of creditor: ("FANNIE MAE"), ITS SUCCESSORS AND/OR ASSIGNS

Court claim no. (if known): N/A

Last 4 digits of any number you use to  
identify the debtor's account:

0 3 2 7

## Date of payment change:

Must be at least 21 days after date  
of this notice

09/01/2017

## New total payment:

\$ 640.17

Principal, interest, and escrow, if any

## Part 1: Escrow Account Payment Adjustment

## 1. Will there be a change in the debtor's escrow account payment?

☐ No

☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

Current escrow payment: \$ 139.53New escrow payment: \$ 137.91

## Part 2: Mortgage Payment Adjustment

## 2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?

☒ No

☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: \_\_\_\_\_%

New interest rate: \_\_\_\_\_%

Current principal and interest payment: \$ \_\_\_\_\_

New principal and interest payment: \$ \_\_\_\_\_

## Part 3: Other Payment Change

## 3. Will there be a change in the debtor's mortgage payment for a reason not listed above?

☒ No

☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement.  
(Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_

New mortgage payment: \$ \_\_\_\_\_

Debtor 1

First Name Middle Name Last Name

Case number (if known) 17-12324

**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

☐ I am the creditor.

☒ I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.**

**X/s/ James F. Lewin**

Signature

Date 08/03/2017

Print:

James F. Lewin  
First Name Middle Name Last Name

Title Attorney

Company

The Mortgage Law Firm PLC

Address

41689 Enterprise Circle North, Suite 228  
Number Street

Temecula CA 92590  
City State ZIP Code

Contact phone

619-465-8200

Email james.lewin@mtglawfirm.com

PAUL S MCMAHAN  
LORI J MCMAHAN  
c/o ROBERT S. WILLIAMS  
2441 G ST STE A  
BAKERSFIELD CA 93301-2809

## ESCROW ACCOUNT STATEMENT

Analysis Date:	06/21/17
Loan Number:	0327

Current Payment		New Payment Effective 09/01/17	
Principal and Interest	\$502.26	Principal and Interest*	\$502.26
Escrow	\$139.53	Escrow	\$137.91
Total Current Payment	\$641.79	<b>Total NEW Payment*</b>	\$640.17

\* The principal and interest payments reflect the contractual amount due under the note, which can be modified with a mutually agreed upon payment plan. In addition, the new principal and interest payment and the total new payment may not reflect any changes due to interest rate adjustments. You will receive a separate notice for interest rate adjustments.

## NEW MORTGAGE PAYMENT NOTICE AND ESCROW ACCOUNT DISCLOSURE STATEMENT

Seterus, Inc. is the servicer of the above referenced loan. In accordance with federal guidelines, your escrow account is reviewed at least once a year to determine if sufficient funds are available to pay your taxes and/or insurance. Your escrow payment will be a minimum of the total anticipated disbursements divided by the number of scheduled installments due in the next 12 months. This payment will increase if you have a post-petition shortage and/or deficiency. This statement provides a history of actual escrow account activity and a projection of the escrow account activity for the next 12 months.

Our records indicate a petition for Bankruptcy was filed on June 15, 2017. Pursuant to that petition, we have filed a proof of claim with the Bankruptcy court. Any shortage and/or deficiency listed under the Proof of Claim section will be excluded from your future scheduled escrow payment as these amounts will be added to your pre-petition arrearage and collected in your bankruptcy plan payment.

ANTICIPATED DISBURSEMENTS		ESCROW ACCOUNT PROJECTIONS FOR THE NEXT 12 MONTH ESCROW CYCLE			
September 2017 to August 2018		Anticipated Activity			
COUNTY	\$1,149.94	Payments to	Payments from		Projected
HAZARD INS	\$505.00	Escrow	Escrow	Description	Balance
<b>Total Disbursements</b>	<b>\$1,654.94</b>	Beginning Balance**			\$51.55-
		Post Petition Beg Bal*			\$460.39
		<b>Date</b>			
		09/01/2017	137.91	0.00	598.30
		10/01/2017	137.91	0.00	736.21
Bankruptcy File		11/01/2017	137.91	574.97-	COUNTY 299.15
Date	June 15, 2017	12/01/2017	137.91	0.00	437.06
		01/01/2018	137.91	0.00	574.97
Pre-Petition Escrow		02/01/2018	137.91	0.00	712.88
Shortage/Deficiency as	\$511.94	03/01/2018	137.91	574.97-	COUNTY 275.82
of Analysis Date		04/01/2018	137.91	0.00	413.73
		05/01/2018	137.91	0.00	551.64
		06/01/2018	137.91	0.00	689.55
		07/01/2018	137.91	0.00	827.46
		08/01/2018	137.91	505.00-	HAZARD INS 460.37
		<b>Total</b>	<b>\$1,654.92</b>	<b>\$1,654.94-</b>	
		The escrow account has a pre-petition shortage and/or deficiency. A deficiency, if applicable, is the amount of negative balance in the escrow account, which can occur when funds that have been paid from the escrow account exceed the funds paid to the escrow account. An escrow shortage occurs when the escrow balance is not enough to pay the estimated items and any additional reserve deposits that need to be paid during the next 12 months. The pre-petition shortage and/or deficiency is accounted for on the proof of claim (POC) and will be collected as part of your pre-petition plan payment.			
*Post Petition Beg Bal = The post-petition portion of the escrow starting balance					
**Beginning balance = Starting balance less any unpaid escrow disbursements					
The Real Estate Settlement Procedures Act (RESPA) allows us to collect and maintain up to 1/6 of your total disbursements in your escrow account at all times, unless prohibited by state law. This cushion covers any potential increases in your tax and/or insurance disbursements. Cushion selected by servicer: \$275.82.					

ESCROW ACCOUNT HISTORY

This is a statement of actual activity in your escrow account from July 2017 to August 2017. This history compares the projections from your last escrow analysis or initial disclosure and the actual activity in your account. If a prior escrow analysis was not conducted during this historical period, the projected escrow balance will be zero.

ACTUAL ESCROW ACCOUNT HISTORY							
	Payments to Escrow		Payments from Escrow		Description	Escrow Balance	
	Projected	Actual	Projected	Actual		Projected	Actual
Beginning Balance						\$689.57	\$159.97
Date							
07/01/17	137.91	0.00 *	0.00	0.00		827.48	159.97
08/01/17	137.91	0.00 *	505.00-	0.00	HAZARD INS	460.39	159.97
Total	\$275.82	\$0.00	\$505.00-	\$0.00			
* indicates a difference from a previous estimate either in the date or the amount.							
** indicates escrow payment made during a period where the loan was paid ahead.							
<b>NOTE</b> – This analysis was prepared in advance of the escrow payment change date. Therefore, the projected beginning balance for the next 12 months estimates that you have paid all the required scheduled installments as shown in your actual account history and that all scheduled disbursements have been made from your escrow account.							

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. WE ARE ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT. THIS NOTICE IS BEING FURNISHED FOR YOUR INFORMATION AND TO COMPLY WITH APPLICABLE LAWS AND REGULATIONS. IF YOU RECEIVE OR HAVE RECEIVED A DISCHARGE OF THIS DEBT THAT IS NOT REAFFIRMED IN A BANKRUPTCY PROCEEDING, YOU WILL NOT BE PERSONALLY RESPONSIBLE FOR THE DEBT. **COLORADO:** SEE [WWW.COLORADOATTORNEYGENERAL.GOV/CA](http://WWW.COLORADOATTORNEYGENERAL.GOV/CA) FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT. Seterus, Inc. maintains a local office at 355 Union Boulevard, Suite 250, Lakewood, CO 80228. The office’s phone number is 888.738.5576. **NEW YORK CITY:** 1411669, 1411665, 1411662. **TENNESSEE:** This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Seterus, Inc. is licensed to do business at 14523 SW Millikan Way, Beaverton, OR 97005.

1 James F. Lewin (SBN 140268)  
2 THE MORTGAGE LAW FIRM, PLC  
3 41689 Enterprise Circle North, Ste. 228  
4 Temecula, California 92590  
5 Telephone: (619) 465-8200  
6 Facsimile: (951) 308-0055  
7 james.lewin@mtglawfirm.com

8 Attorneys for Secured Creditor  
9 SETERUS, INC. AS THE AUTHORIZED SUBSERVICER FOR FEDERAL NATIONAL  
10 MORTGAGE ASSOCIATION ("FANNIE MAE"), ITS SUCCESSORS AND/OR ASSIGNS

11 UNITED STATES BANKRUPTCY COURT  
12 EASTERN DISTRICT OF CALIFORNIA

13 In re:  
14 Paul Steven McMahan and  
15 Lori Joann McMahan

16 Case No. 17-12324  
17 Chapter 13

18 CERTIFICATE OF SERVICE

19 Debtors.

20 Subject Property Address:  
21 205 Adams St.  
22 Taft, CA 93268

23 I am employed in the County of Riverside, State of California. I am over the age of eighteen  
24 (18) and not a party to or interested in the above-entitled matter. I am an employee of The Mortgage  
25 Law Firm, PLC, and my business address is 41689 Enterprise Circle North, Ste. 228, Temecula,  
26 California 92590. On August 03, 2017, I served the following documents described as:

27 NOTICE OF MORTGAGE PAYMENT CHANGE,  
28 by:

- MAIL: by placing a true copy(ies) of the document(s) in a sealed envelope(s) for collection and mailing in the outgoing mail in my office for deposit in the United States mail, addressed as shown below. I am readily familiar with the business practice at my place of business for collection and processing of outgoing mail with

- 1the United States Postal Service. On the same day that the outgoing mail is placed for
- 2collection and mailing, it is deposited in the ordinary course of business with the
- 3United States Postal Service, in a sealed envelope with postage fully prepaid.
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- OVERNIGHT DELIVERY: by enclosing, true copies of the documents in a sealed envelopes or package provided by an overnight delivery carrier addressed as shown below. I placed the envelope or package for collection and overnight delivery, with postage fully prepaid, at an office or a regularly utilized drop box of the overnight delivery carrier or the envelope or package was picked up from my firm by the overnight delivery carrier.

■

ELECTRONICALLY: Pursuant to CM/ECF System, registration as a CM/ECF user constitutes consent to electronic service through the Court’s transmission facilities. The Court’s CM/ECF systems sends an e-mail notification of the filing to the parties and counsel of record listed above who are registered with the Court’s CM/ECF system.

■

FEDERAL: I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Said document(s) was/were served on the following persons:

<u>Debtors</u> Paul Steven McMahan Lori Joann McMahan 205 Adams St. Taft, CA 93268	<u>Debtor’s Counsel</u> Robert S. Williams 2441 G St., Ste. A Bakersfield, CA 93301
<u>Chapter 13 Trustee</u> Michael H. Meyer PO Box 28950 Fresno, CA 93729-8950	<u>US Trustee</u> Office of the U.S. Trustee United States Courthouse 2500 Tulare Street, Room 1401 Fresno, CA 93721

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 03, 2017, at Temecula, California.

/s/Lanie Brooks  
Lanie Brooks